

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Katrin COUNRADI et al. **Confirmation No. 4896**  
Appl. No. : 10/573,323 Group Art Unit: 1761  
I. A. Filed : September 23, 2004 Examiner: Mruk, Brian P  
For : FOAMING PREPARATION WITH A YIELD POINT

**AMENDMENT UNDER 37 C.F.R. § 1.114**

Commissioner for Patents  
U.S. Patent and Trademark Office  
Customer Service Window, Mail Stop RCE  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Sir:

Further to the Appeal Brief filed March 16, 2010 and the Reply Brief filed July 19, 2010 regarding the Final Rejection mailed June 17, 2009 Applicants hereby request that the examination of the present application be continued on the basis of the claims submitted herewith. A Request for Continued Examination (RCE) is being filed concurrently herewith and the corresponding fee is being paid concurrently herewith as well. While it is believed that no further fees are required, this is an express authorization to charge any other fees which may be deemed to be required to preserve the pendency of the present application to Deposit Account No. 19-0089.

P29298.A12

**Amendments to the Claims** are reflected in the listing of claims which begins on page 3 of this paper.

**Remarks/Arguments** begin on page 12 of this paper.